



(Mob.) : 98695 60870
90291 17789

Kripashankar R. Tiwari
M.Com, LL.B.

ADVOCATE HIGH COURT & NOTARY PUBLIC

Resi.: D-17/503, Shanti Vihar, Mira Road (East), Thane - 401107.

Off. : A-5, Shop No. 14, Sector 7, Shanti Nagar, Mira Road (East), Thane - 401107.

(By Regd. ADJ / IPC / Courier / Hand Delivey)

TITLE CERTIFICATE

Re: In the matter of land bearing Old Survey No.141, New Survey No. 12, Hissa No.1, admeasuring 10090 sq. mtrs sq.mtrs or thereabouts of Revenue Village Mire, Taluka and District Thane within the limits of Mira Bhayandar Municipal Corporation, in the Registration District and Sub-District of Thane (hereinafter referred to as "**the said Property**").

On behalf of and under instructions of my clients **AKSHAR SHANTI REALTORS PRIVATE LIMITED**, a company registered under the Indian Companies Act 1956 having its office at 1st Floor Opp. Shanti Nagar Sector 9, Srushri Bridge, Poonam Sagar Complex, 100' Road, Mira Road (East), Dist. Thane - 401 107; my report on title in respect of the said Property being above referred and more particularly described in the Schedule hereunder written, is as under -

- 1(A) (i) Shri Ganpat Sitaram Patil, (ii) Shri Anant Ramchandra Patil, (iii) Shri Shreedhar Ramchandra Patil, (iv) Shri Bhanudas Ramchandra Patil, (v) Shri Vinayak Ramchandra Patil, (vi) Shri Moreshwar Ramchandra Patil, (vii) Shri Yashwant Sitaram Patil, (viii) Smt. Babibai Govind Mhatre, (ix) Smt. Ramabai Anant Mhatre and (x) Smt Bharti Ganpat Mhatre were well, sufficiently and absolutely seized and posses of said Property i.e. land bearing Old Survey No.141, New Survey No.12, Hissa No.1, admeasuring 10090 sq. mtrs or thereabouts of Revenue Village Mire, Taluka and District Thane and more particularly described in the Schedule hereunder written.
- 1(B) By Agreement for Sale cum Development dated 22nd January 1990 read with Supplemental Agreement dated 11th August 1994 agreed to sell and granted the development rights in respects of





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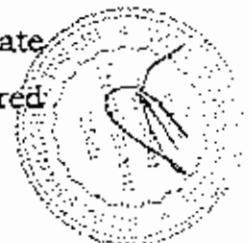
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said Property being land bearing Old Survey No.141, New Survey No.12, Hissa No.1, admeasuring 10090 sq. mtrs or thereabouts of Revenue Village Mire, Taluka and District Thane and more particularly described in the Schedule hereunder written in favor of M/s Anil Developers Pvt. Ltd. The said Supplemental Agreement dated 11th August 1994 was registered on 12th August 1994 with the Sub-registrar of Assurances Thane at serial No. TNN2/325/1994.

- 1(C) In Pursuance of the said Agreement the said Shri Ganpat Sitaram Patil and others also grant Power of Attorney dated 11th August 1994 in favour of directors of the said M/s Anil Developers Pvt. Ltd. in possession of the said Property which recorded in possession Letter dated 11th August 1994. The said Power of Attorney dated 11th August 1994 was registered on 12th August 1994 with the Sub-registrar of Assurances Thane at serial No.TNN2/17/1994.
- 1(D) The said Shri Ganpat Sitaram Patil and others had handed over the possession of the said Property and executed the Letter of possession dated 11th August 1994 and the same was registered on 12th August 1994 with the Sub-registrar of Assurances Thane at serial No. TNN2/326/1994. Also executed Declaration Cum Indemnity Bond dated 11th August, 1994 and the same was registered on 12th August 1994 with the Sub-registrar of Assurances Thane at serial No. TNN2/327/1994.
- 1(E) The said M/s Anil Developers Pvt. Ltd. in turn have agreed to grant the development rights and other rights by and under Agreement dated 10th May 2007 registered under Serial No.TNN-10/4327 of 2007 in favour of Akshar Shanti Realtors Private Limited and in pursuance thereof have also executed registered





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Power of Attorney dated 10th May 2007 registered under Serial No.TNN-10/4328 of 2007 and Substituted Power of Attorney dated 10th May 2007 registered under Serial No.TNN-10/4329 of 2007 in favour of directors of Akshar Shanti Realtors Private Limited. In Pursuance of the said Agreement the said M/s Anil Developers Pvt. Ltd. placed Akshar Shanti Realtors Private Limited in to possession of the said Property and as Akshar Shanti Realtors Private Limited are in possession of the said Property.

- 2(A) By Conveyance dared 13th January 1947, executed by one Govind Rama (Rane) Bhoir therein referred to as the vendor of the one part and Narsingrao Laxman Kodikal therein referred to as the purchaser of the other part, the said Narsingrao purchased the said Property being land bearing Survey No.141, Hissa No.1 of Village Mire (now bearing New Survey No. 12, Hissa No.1 of Village Mire), Taluka and District Thane; admeasuring 10090 sq.mtrs. or thereabouts and more particularly described in the Schedule hereunder written. The said Conveyance is registered with the Sub-Registrar of Assurances at Bombay on 21st January 1947 under Serial No.183 of 1947.
- 2(B) The said Narsingrao died on or about 2nd February 1979, leaving behind him is widow Shantabai, three sons. (i) Vijay, (ii) Pandurang and (iii) Ramdas and three daughters (i) Vasanti, (ii) Mukta and (iii) Krishna as his only heirs and legal representatives according to law by which he was governed at the time of his death. Accordingly each of them inherited and accordingly became entitled to 1/7th undivided share in the said Property.





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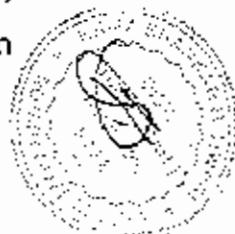
2(C) The said Shantibai widow of the said Narsingrao died on or about 10th May 1985, leaving behind her three sons i.e. the said Vijay, the said Pandurang and the said Ramdas and three daughters i.e. the said Vasanti, Mukta and Krishna as her only heirs and legal representatives according to law by which she was governed at the time of her death. In the premises each of the said three sons and three daughters of the said Shantabai become entitled to 1/6th undivided share in the said Property.

2(D) The said Ramdas died intestate on or about 29th December 1992 leaving behind his widow Archana and his only daughter Anjali wife of Gurudas Trasi as his only heirs and legal representatives according to law by which he was governed at the time of his death and in the premises each of the said Archana and the said Anjali became entitled to 1/12th undivided share in the said Property.

A. By following Six Agreements

SR.NO.	DATE OF AGREEMENT	EXECUTED BY
1.	7-4-1995	Pandurang Kodikal
2.	7-4-1995	Vasanti Narsingrao Kodikal
3.	7-4-1995	Mukta Narsingrao Kodikal
4.	7-4-1995	Krishna Bunny Reuben
5.	7-4-1995	Archana Ramdas Kodikal and Anjali Gurudas Trasi
6.	22-5-1995	Vijay Narsingrao Kodikal

(i) the said Pandurang, (ii) the said Archana and the said Anjali, (iii) the said Vasanti, (iv) the said Mukta and (v) the said Krishna, interalia granted the rights of developments and other rights in





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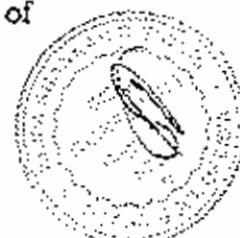
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respect of their respective 1/6th undivided share in the said Property and agreed to sell their respective undivided share in the said Property to one Mr. Nasir Noor Mohammed Chalie at or for the consideration-n and upon the terms and conditions mentioned therein. Pursuant to the said Agreement the said Nasir Noor Mohammed paid the entire consideration.

B. Pursuant to the said Agreement the said Vijay, the said Pandurang and the said Archana and Anjali, the said Vasanti, the said Mukta and the said Krishna also executed following Power of Attorneys in favour of the said Nasir Noor Mohammed Chalie

SR. NO.	DATE OF P/As.	EXECUTED BY
1.	7-4-1995	Anuradha Pandurang Kodikal
2.	7-4-1995	(i) Vasanti Narsingrao Kodikal (ii) Mukta Narsingrao Kodikal, (iii) Krishna Bunny Reuben, (iv) Archana Ramdas Kodikal and (v) Anjali Gurudas Trasi.
3.	22-5-1995	Vijay Narsingrao Kodikal.

- 2(E) By Agreement for sale dated 10th June 1998, the said Nasir Noor Mohammed agreed to grant the rights of developments and to sell the said Property to (1) Shri Kapil Agarwal, (2) Shri Dinesh Mulji Chheda, (3) Shri Manoj K. Dedhia at or for the consideration and upon the terms and conditions mentioned in the said Agreement.
- 2(F) Pursuant to the said Agreement dated 10th June 1998, the said Nasir Noor Mohammed executed Substituted Power of Attorney dated 24th May 2007 in respect of the said Property in favour of





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the (1) Shri Kapil Agarwal, (2) Shri Dinesh Mulji Chheda, (3) Shri Manoj K. Dedhia.

2(G) By Agreement dated 18th July 2007 registered under Serial No.TNN-10/6510 of 2007 the said (1) Shri Kapil Agarwal, (2) Shri Dinesh Mulji Chheda, (3) Shri Manoj K. Dedhia in turn have agreed to sell and granted the development rights and others rights in respects of the said land in favour of Akshar Shanti Realtors Private Limited and in pursuance thereof have also executed registered Power of Attorney dated 18th July 2007 registered under Serial No.TNN-10/6513 of 2007 and also registered Substitute Power of Attorney dated 18th July 2007 registered under Serial No.TNN-10/6512 of 2007 in favour of directors of my clients. In Pursuance of the said Agreement the said (1) Shri Kapil Agarwal, (2) Shri Dinesh Mulji Chheda, (3) Shri Manoj K. Dedhia placed Akshar Shanti Realtors Private Limited into possession of the said land and as Akshar Shanti Realtors Private Limited are in possession of the said Land and executed Joint Declaration Cum Indemnity dated 18th July 2007 registered under Serial No.TNN-10/6514 of 2007.

3(A) 1)Ganpat Sitaram Patil 2)Yashwant Sitaram Patil 3) Anant Ramchandra Patil 4)Shridhar Ramchandra Patil 5)Bhanudas Ramchandra Patil 6)Vinayak Ramchandra Patil 7)Moreshwar Ramchandra Patil made an application u/s 32 (G) of BT and AL Act 1948 bearing case no. Tenancy/ section 32 G/ Mire/ 70/2007 which came to be decided on 04.02.2008 and purchase price was fixed and upon payment of purchase price 'M' certificate came to be issued which is duly registered at sr. no TNN-G-2719/08 dtd 19.03.2008.





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- 3(B) 1)Ganpat Sitaram Patil 2)Yashwant Sitaram Patil 3)Anant Ramchandra Patil 4)Shridhar Ramchandra Patil 5)Bhanudas Ramchandra Patil 6)Vinayak Ramchandra Patil 7)Moreshwar Ramchandra Patil applied for sale permission u/s 43 (1) of BT and AL Act 1948 in the name of one Shri Kisanlal M. Purohit which came to be granted by SDO, Thane on 30.05.2008 bearing no. TD/T/KV/VP/SR 109/2008.
- 3(C) By Deed of Conveyance dated 13th June 2008 registered under Serial No.TNN-1/3535 of 2008 the said Ganpat Sitaram Patil & others have sold, transferred and conveyed the said land in favour of M/s Khereshwar Investment, a proprietary concern through sole proprietor Shri Kisanlal Maganlal Purohit on the terms and conditions mentioned more specifically in the said Deed of Conveyance. The said fact is recorded in Mutation Entry No. 1924 dated 09/08/2008 record of rights of the said Property.
- 4(A) Shri Kisanlal M. Purohit had filed suit for claiming the title on the said property being Special Civil Suit No.765 of 2009 before the Court of Senior Division Thane against Ganpat Sitaram Patil & others, being Defendant Nos.1 to 7 therein; Vasanti Narsingrao Kodikal and others, being Defendant Nos.8 to 14 therein; M/s Anil Developers Pvt. Ltd, being Defendant No.15 therein; Akshar Shanti Realtor Pvt Ltd being Defendant No.16 therein and MBMC, being Defendant No17 therein.
- 4(B) The Parties to the above referred Suit after taking the cognizance of considerable time being consumed in litigation decided to sit across for settling the dispute amicably out of the court and ultimately the said dispute came to be settled between all the parties to the said Suit on the following terms and admissions:





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- (i) Shri Shri Kisanlal M. Purohit, Ganpat Sitaram Patil & others, Vasanti Narsinhrao Kodikal and others and M/s Anil Developers Pvt. Ltd agree and admit that the Akshar Shanti Realtor Pvt Ltd has been and is in actual and physical possession of the Said Property and more particularly described in the Schedule hereunder written.
- (ii) Shri Kisanlal M. Purohit, Ganpat Sitaram Patil & others, Vasanti Narsinhrao Kodikal and others and M/s Anil Developers Pvt. Ltd agree in unequivocal terms that the Akshar Shanti Realtor Pvt Ltd shall be fully entitled to develop the said Property by utilizing the entire available FSI and also by loading TDR/DRC thereon, to construct the buildings on the said Property and to enjoy and exercise all rights in respect of the said Property as owners thereof including to transfer and convey the said Property as the Akshar Shanti Realtor Pvt Ltd deem fit and proper and to have and hold the said Property as absolute owners thereof. The aforesaid rights, powers and authorities of the Akshar Shanti Realtor Pvt Ltd shall always be irrevocable.
- (iii) Shri Kisanlal M. Purohit, Ganpat Sitaram Patil & others, Vasanti Narsinhrao Kodikal and others and M/s Anil Developers Pvt. Ltd do and each of them doth hereby jointly and severally absolutely sale, transfer, convey and assign the said Property in favour of the Akshar Shanti Realtor Pvt Ltd as also they jointly and severally assign all and whatever right, title and interest they have in the said Property, unto and in favour of the Akshar Shanti Realtor Pvt Ltd. and that it shall be lawful for the Akshar Shanti Realtor Pvt Ltd from time to time and at all times hereafter peaceably and quietly





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to hold, enter upon, have, use, own, occupy, possess and enjoy the said Property.

- (iv) Shri Kisanlal M. Purohit, Ganpat Sitaram Patil & others, Vasanti Narsingh Rao Kodikal and others and M/s Anil Developers Pvt. Ltd do hereby agree, record and confirm that the Akshar Shanti Realtor Pvt Ltd shall also be entitled to get their name entered/recorded in the column of owner in 7/12 Extract in respect of the said Property and hereby grant their irrevocable consent for the same and they also do and each of them do hereby grant their consent for deletion of their names from the 7/12 Extract in respect of the said property.
- (v) Shri Kisanlal M. Purohit, Ganpat Sitaram Patil & others, Vasanti Narsingh Rao Kodikal and others and M/s Anil Developers Pvt. Ltd do hereby agree, record and confirm that decree passed in pursuance of this consent terms do and itself shall operate as Conveyance of the said Property by them in favour of the Akshar Shanti Realtor Pvt Ltd and/or sale, transfer and assignment of all their right, title, interest, benefits, advantages and claims in the said property.

4(C) By Order dated 20-09-2011 passed by the Hon'ble 8th Jt. Civil Judge (Senior Division), Thane the Decree was drawn in terms of Consent Terms and the said Consent Terms shall operate as Conveyance of the said Property between the parties to the said suit and the suit was disposed of accordingly. The said Order dated 20-09-2011 operate as Conveyance for said Property is registered under Serial No.TNN-7/08630 on 30/11/2011. The said fact is recorded in Mutation Entry No. 2147 dated 01/12/2011 record of rights of the said Property.





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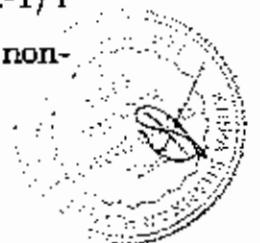
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- (5) In the circumstances stated above and as stated in the above referred documents, Akshar Shanti Realtors Private Limited being the owner of the said Property have all right, title, interest, benefits, advantages and claims in the said Property and Akshar Shanti Realtors Private Limited are in physical possession of the said land as aforesaid.
- (6) By Deed of Grant of Right of Way dated 26/12/2011 registered with the sub-registrar of Thane under serial No.9449/2011 on 26/12/2011 wherein M/s Ram Nagar Development Corporation therein called as the grantor and the said Akshar Shanti Realtors Private Limited therein called as the grantee and the said M/s Ram Nagar Development Corporation has given the right of way through his own property to the above referred property at a consideration and terms and conditions more particularly mentioned therein.
- (7) The Estate Investment Co. Pvt. Ltd, by its Letter bearing Ref. No. EJ/NOC/505/2011 dated 09th May 2011 addressed to said Akshar Shanti Realtors Private Limited and thereafter executed Deed of Release 26/03/2013 is registered with the Sub-Registrar under Serial No.TNN-4/2699 of 2013 in favour of said Akshar Shanti Realtors Private Limited for releasing their entire right over the said Property and is more particularly described in the Schedule hereunder written. The said fact is recorded in Mutation Entry No. 2302 dated 05/07/2013 of record of rights of said Property.
- (8) The Office of the Collector of Thane has granted N.A. permission vide Order dated 06/09/2008, bearing No.Mahsul/K-1/T 1/NAP/SR-480/2008 to use the said Property, for non-





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agricultural (N.A.) purposes upon the terms and conditions mentioned therein.

(9) The Mumbai Metropolitan Regional Development Authority (MMRDA) has approved the Rental Housing Scheme proposed by said Akshar Shanti Realtors Private Limited on the said Property and granted Locational Clearance MMRDA/RHD/RHS-193/22/231 dated 10th April, 2012. Based on said Rental Housing Scheme approved the said Akshar Shanti Realtors Pvt. Ltd. to and in favour of Mumbai Metropolitan Regional Development Authority (MMRDA).

(10) The Mira Bhayandar Municipal Corporation sanctioned the Plan and Commencement Certificate dated 10/06/2013 bearing No. M.B/MNP/NR/885/2013-14 permitting construction of a building in favour of Akshar Shanti Realtors Private Limited on the said Property more particularly described in the Schedule hereunder written.

(11) The said Akshar Shanti Realtors Private Limited by registered Indenture of Mortgage dated 19/10/2013 with Bank of India, registered under Serial No.TNN-7/8977/2013 with Sub-Registrar of Thane has taken the finance for the project on the said Property.

(12) All the above mentioned documents hereinabove are valid and subsisting and in full force as of to-day.

(13) The following are the matter pending related to the said property, they are:-





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- i) Suit filed by Santosh Ganapat Patil & Others against Ganapat Sitaram Patil & Others being special Civil suit No.699 of 2013 before Thane Court. Interim application in the said matter is rejected by Order dated: 10.10.2014.
- ii) Suit filed by Ganpat Sitaram Patil & Others against Kisanlal M. Purohit & Others being Special Civil Suit No.448 of 2014 before Thane Court. Interim application in the said matter rejected by Order dated: 10.10.2014
- iii) Appeal filed by Santosh Ganapat Patil & Others being Appeal from Order No.1093 of 2014 against the Order dated: 10.10.2014, before High Court Of Bombay. I have no instructions for further Order and as per instruction the matter is pending.
- iv) Appeal filed by Akshar Shanti Realtors Pvt. Ltd. against Ram Mandir Devasthan Trust by appeal before District Supredentant of land record Thane. I have no instructions for further Order and as per instruction the matter is pending.

(14) I have investigated the title in respect of the said property and in my opinion, subject to reservations as per the Maharashtra Regional Town Planning Act, on the said property and subject to any reservation as per the sanctioned plan of Mira Bhayander Municipal Corporation and subject to complying with all the terms and conditions of Agreements and the various orders hereinabove referred to, subject to litigation mentioned above the said Akshar Shanti Realtors Private Limited, being Owner inter alia, are entitled to develop the said Property, including the rights to sell the units constructed in such building/s on the





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said Property to various unit purchasers under Maharashtra Flat Ownership Act, 1963, and the rules made thereunder, upon complying with all the rules and regulations as laid down under the Development Rules of Mira Bhayandar Municipal Corporation.

- (15) In the circumstances and subject to the aforesaid I am of the view that title of the said Akshar Shanti Realtors Private Limited, in respect of the said property is clear, marketable and free from all encumbrances and the said Akshar Shanti Realtors Private Limited, have rights of development and other rights as mentioned in the documents referred herein above.

THE SCHEDULE HEREINABOVE REFERRED TO:-

ALL THAT piece or parcel of land Old Survey No.141, New Survey No. 12, Hissa No.1, admeasuring 10090 sq. mtrs or thereabouts of Revenue Village Navghar-Bhayandar, Taluka and District Thane within the limits of Mira Bhayandar Municipal Corporation, in the Registration District and Sub-District of Thane.

Dated this 23rd day of June, 2017.


23/6/2017
Kripashankar R. Tiwari
Advocate High Court, Mumbai

